

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Sheri Urlacher

Plaintiff,

VS.

**Zemen Weldeslasie and
Lozan Logistics LLC**

Defendants.

No.

COMPLAINT

Now come the Plaintiff Sheri Urlacher, in support of her complaint against defendants Zemen Weldeslasie and Lozan Logistics LLC stating:

**Count I
(Negligence – Zemen Weldeslasie)**

1. Plaintiff is an Illinois citizen and defendant Lozan Logistics LLC, is a Texas citizen, being a Texas corporation with its principal place of business at 9221 Amberton Parkway in Dallas, Texas. Lozan Logistics LLC has one member Mekonen Yihdego, who is also a Texas citizen. Defendant truck driver, Zeman Weldeslasie is a Texas citizen. The amount in controversy exceeds, exclusive of interest and costs, the sum specified by 28 U.S.C. § 1332, making subject matter jurisdiction appropriate in this Court based on diversity of citizenship.

2. On July 25, 2018 defendant Lozan Logistics LLC had active motor carrier authority pursuant to DOT #2960242 and was hauling freight through Illinois in the usual course of Lozan Logistics LLC's business as an interstate motor carrier.

3. On July 25, 2018 defendant Zemen Weldeslasie owned a commercial motor vehicle, weighing more than 10,001 pounds GVW , consisting of a 2011 Freightliner tractor with a Texas license plate number R229103 that defendant trucker, Zemen Weldeslasie, was operating pursuant to his commercial driver's license when it impacted the left front side of a Cadillac Escalade driven by Sheri Urlacher.

4. On July 25, 2018 the 2011 Freightliner tractor involved in this collision displayed the logo of Lozan Logistics LLC with US DOT # 2960242.

5. On July 25, 2018 the 2011 Freightliner tractor with Texas plate number R229103 and bearing Lozan Logistics LLC logo and US DOT number was being operated by its FMCSR 390.5 statutory employee or agent, Zemen Weldeslasie, pursuant Lozan Logistics LLC's US DOT active motor carrier authority.

6. At all relevant times, including July 25, 2018 Lozan Logistics LLC and Zemen Weldeslasie regularly did business in Illinois and were both involved in the transportation of freight in interstate commerce, including the freight that was being hauled , or was about to be hauled , or has been delivered by defendant trucker Zemen Weldeslasie around the time of the collision referenced in this complaint.

7. On July 25, 2018 defendant trucker Zemen Weldeslasie was acting in the scope of his duties with defendant Lozan Logistics LLC.

8. On July 25, 2018, Lozan Logistics LLC. was the statutory employer under FMCSR 390.5 of defendant trucker Zemen Weldeslasie and is vicariously liable for any of his negligent conduct while operating the 2011 Freightliner.

9. On July 25, 2018, Lozan Logistics LLC was liable under the doctrine of placard liability or logo liability for any negligent actions of Zemen Weldeslasie, while he operated the 2011 Freightliner.

10. On July 25, 2018 Plaintiff Sheri Urlacher was injured in a vehicular collision as she drove her Cadillac Escalade northbound on Waukegan Road through the intersection at Buckley Road when her SUV was struck on the front drivers side by the defendants bob-tailing 2011 Freightliner , which was traveling southbound on Waukegan Road at about the same time and attempting to turn left onto eastbound Buckley Road.

11. It was the duty of Defendant Lozan Logistics LLC, Inc. and their statutory employee and agent, Zemen Weldeslasie, to exercise reasonable care under the circumstances to protect the safety of the Illinois motoring public and Sheri Urlacher. In violation of this duty each of the defendants:

- a) negligently, carelessly and improperly drove the tractor truck into the side of Plaintiff's SUV.
- b) negligently, carelessly and improperly failed to stop the tractor-truck in sufficient time to avoid a collision.
- c) negligently, carelessly and improperly failed to keep a proper lookout.
- d) negligently, carelessly and improperly failed to yield the right of way in violation of 625 ILCS 5/11-901(a);

- e) negligently, carelessly and improperly failed to yield the right of way so as to avoid colliding with Plaintiff's SUV, in violation of 625 ILCS 5/11-902; and
- f) negligently, carelessly and improperly operated the tractor-truck at a speed that was excessive for the prevailing conditions.

12. As a direct and proximate result of the defendant's negligence, Sheri Urlacher has suffered losses of a personal and pecuniary nature including, but not limited to, economic losses, medical expenses, pain and suffering, disfigurement, disability, and loss of a normal life. These losses have been incurred in the past and are reasonably certain to occur in the future. All or some of them are permanent.

Wherefore, it is respectfully requested that judgment be entered in favor of Plaintiff Sheri Uralcher and against Zemen Weldeslasie, for all damages allowed by law as a result of the July 25, 2018 collision.

COUNT II

(Vicarious Liability Claim Against Lozan Logistics LLC)

1-11. The plaintiff incorporates by reference the allegations of paragraphs one through eleven of Count I as though set forth herein as paragraphs one through eleven of Count II.

12. As a direct and proximate result of one or more of the aforementioned acts or omissions by Zemen Weldeslasie for which Lozan Logistics LLC is vicariously liable, Sheri Urlacher has suffered losses of a personal and pecuniary nature including, but not limited to, economic losses, medical expenses, pain and suffering, subsequent surgeries, disfigurement, disability, and loss of a normal life. These losses have been

incurred in the past and are reasonably certain to occur in the future. All or some of them are permanent.

Wherefore, it is respectfully requested that judgment be entered in favor of Plaintiff Sheri Uralcher and against Lozan Logistics LLC for all damages allowed by law as a result of the July 25, 2018 collision.

Plaintiff Demands Trial by Jury

s/Steve C. Armbruster

One of their attorneys

Steven C. Armbruster
ARDC # 6255566
Vrdolayk Law Group LLC
9618 South Commercial Avenue
Chicago, Illinois 60617
773-731-3311
sarmbruster@vrdolyak.com